[CONTINUED FROM FIRST PAGE] territory included within these limits. The Senator from Virginia [Mr. Mason] was among those who regarded this claim of Texas as just-not because of any valid original title to the territory, but because of the implied recognition of her title by the United States. I need not say that I, in common with very many others, dissented from that view. But the Senator from Virginia, and other Senators, maintained it. That Senator, on the 30th July, 1850, moved a joint resolution recognising this

"Resolved, &c., That by the joint resolution approved March 1st, 1845, for annexing Texa-to the United States, it being ordained that the territory properly included within and rightfully belonging to the Republic of Texas, may be erected into a new State,' &c., it is the opinion and judgment of Congress, that the admission of Texas into the Union, with the boundaries described by the laws thereof, not objected to by the United States, at the time of such annexation, is conclusive, as against the United States, of the right of Texas to the

territory included within such boundaries."

The recognition proposed by this resolution would give to Texas all the land east of the Rio Grande, and a line drawn from its source to the 42d parallel, and west of the line between the United States and the Spanish pos-

essions already described.

Now, sir, of the territory within this claim of degrees of longitude, was incorporated into the Territory of New Mexico. That part between the 38th parallel and the Arkansas river, stretching north toward the 424 parallel in a long, narrow strip, and that other part included within the 100th degree and 103d degree of longitude, and 36 degrees 10 minutes north latitude, and the Arkansas river, were not in corporated into New Mexico, nor relinquished to Texas, but became a part of the territory of the United States. Here are two tracts of country, which the Senator says were cut off from Texas and incorporated into New Mexico. If the claim of Texas was valid, they were cut off from her territory, but they were not incorporated into New Mexico. The Senator is totally mistaken as to that; and it is not a trilling mistake. The tract west of New Mexico, between 36 deg 30 min. and the Arkaneas river, contains over twenty thousand square miles. It is not easy to estimate the contents of the other tract. The first is as large as Connecticut, Khode Island, Massachu setts, and New Hampshire, put together. The two tracts probably are nearly equal in extent to the whole of New England, excluding Maine. There are seven States in the Union neither of which equals in extent the larger of these tracts, nor probably the smaller. Not one foot of this territory was incorporated into New Mexico, and yet the Senator asserted that it all was. I repeat, sir, that here was a great error. I show the Senator that he was wrong in a very material statement. But do I as cuse him, therefore, of falsifying the public history of the country?—of wilful misrepre-sentation?—of falsebood? Not at all. The Senator, like other men, is liable to error. If he falls into error upon a point material to any controversy which I may happen to have with him, I correct the error, but I do not reproach

the man. I will not charge him with violating tenth, or with intentional misrepresentation.

I said the other day to that Senator, when he proposed to deny to me a postponement warranted by the usages of the Sonate, that I thought him incapable of understanding the obligations of courtesy. I prefer now to restrict that statement, and say that the Senator, on that occasion, under some excitement, perhaps, and perhaps influenced also by an over anxious desire to hasten the vote upon his bill, disregarded the obligations which courtesy imposes I make this remark because I am unwilling, under any provocation, to do any injustice to approach him with a smiling face, or an angry face, or any face at all, to obtain from him a postponement of his bill, in order to gain time for the circulation of attacks upon it. I have condemned his lell, strongly neward this to

with my tastes. But while I wage no such war, I dread none. Neither vituperation nor denunciation will move me, while I have the approval of my own judgment and conscience. But I did not intend to recur to this matter, and wil-If the Senator is wrong, as I have shown he

is, in respect to the incorporation of all the territory out off from Texas into New Mexico, then he is also wrong in his declaration that the Compromise Act of 1850 does not preserve and re-assert the principle of the Missouri pro-

ence from them obvious and irresistible.

The third article of the joint resolution for the annexation of Texas reads thus:

New States, of convenient size, not exceedng four in number, in addition to said State of Texas, having sufficient population, may hereafter, by the consent of said State, be formed out of the territory thereof, which shall he entitled to admission under the provisions of the Federal Constitution. And such States Territory lying south of 36 dag. 30 min. north latitude, commonly known as the Missouri out of said territory north of said Missouri Compromise line, Slavery or involuntary servi-

Here is an express stipulation that Slavery the Territory of Texas north of 36 deg. 30 This was a valuable stipulation for Freethat claim as valid; and it was upon his motion that the proviso, which I now proceed to

Provided, That nothing herein contained shall be construed to impair or qualify ANYond section of the joint resolution for annexing Texas to the United States, approved March 1, 1815, either as regards the number of States that may bereafter be formed out of the State of Texas, or otherwise."

Here was a compact between two States into it, it was obligatory and permanent. That compact covered all the territory rightfully within the limits of Texas, until rescinded. It could make no difference if a portion of that territory should be subsequently relinquished to the United States. That would not disturb the effect of the compact. But this matter

it in full force in all its provisions. Nothing can be clearer, then than that it the two tracts of country of which I have spoken were within the rightful claim of Texas, the compact applied to them, and the prohibition of Slavery in the States to be created out the impenetrable registof freedom. But then, of them, is still in force. And it is, perhaps, at as now, there was a slave interest in the counthis day the only probibition which is in force try—then, as now, there was a slave power.

ciple of the Missouri Compromise. That was

as clearly wrong in relation to the reaffirm-ance of the principle of the Miscouri Compromise by one of those very Compromise acts which, as he would have us say, superseded it. Certainly, the Senate, when it adopted the Mason proviso without a division, and the House, when it agreed to the bill of which it was a part, must have intended to keep alive and af-firm every provision of the third article of the annexation resolution. One of these provisions prohibited Slavery north of 36 deg. 30 min. That provision preserved the principle of the Missouri Compromise. The proviso, taken in connection with that provision, makes it clear, beyond all question, that the Compromise acts preserved that principle, and rejected the con-sequence which it is now sought to force upon

I submit to the Senate if I have not com pletely vindicated this part of the appeal against the speech of the Senator. The errors, mistakes, misrepresentations, are all his own. None are found in the appeal.

The third specification of the Senator charges

the signers of the appeal with misrepresenta-tion of the original policy of the country in respect to Slavery. The Senator says:
"The argument of this manifesto is predica

sessions already described.

Now, sir, of the territory within this claim of Texas, that part between the 32d degree and 38th degree of north latitude, and west of 103 for the purpose of being organized into new I take issue upon that statement.'

The Senator then proceeds to attempt to show that the original policy of the country was one of indifferentism between Slavery and Freedom: and that, in pursuance of it, a geo-graphical line was established, reaching from the eastern to the western limit of the original States—that is to say, to the Mississippi river. Sir, if anything is susceptible of absolute historical demonstration, I think it is the proposition that the founders of this Republic never contemplated any extension of Slavery. Let us for a few moments retrace the past.
What was the general sentiment of the coun-

try when the Declaration of Independence was promulgated? I invoke Jefferson as a witness. Let him speak to us from his grave, in the language of his memorable exposition of the rights of British America, laid before the Virginia Convention, in August, 1774. These are his

"The abolition of domestic Slavery is the greatest object of desire in these colonies, where t was unhappily introduced in their infant

In the spirit which animated Jefferson, the First Congress-the old Congress of 1774among their first acts, entered into a sole

covenant against the slave traffic.

In 1776, the Declaration of Independence. drafted by Jefferson, announced no such low and narrow principles as seem to be in fashion right of the strong to appress the weak, of the majority to enslave the minority. It promul-gated the sublime creed of human rights. It declared that-ALL MEN are created equal, and endowed by their Creator with malienable

rights to life and liberty.

The first acquisition of territory was made by the United States three years before the adoption of the Constitution. Just after the country had emerged from the war of Independence, when its struggles, perils, and principles, were fresh in remembrance, and the spirit of the Revolution yet lived and burned in every American Ceart, we made our first firmed by-the cessions of Virginia, New York, and Connecticut. It was the Territory Northwest of the River Ohio.

subject of its government. Mr. Jefferson, Mr. persons, and not as property." a political or personal opponent. While I Howell, and Mr. Chase, were appointed a comconfine its regards to the territory actually acquired, but contemplated further acquisitions for the organization of temporary and permapeal of the Missouri prohibition. But I have nent State Governments in all territory, wheth-done no injustice to the Senator. All that I er "ceded or to be ceded," from the 31st parhave done at all I have done openly. I have allel, the boundary between the United States not waged, nor will I wage war-a war of epi- and the Spanish province of Florida on the thets. It neither accords with my principles nor | south, to the 421 parallel, the boundary between this country and the British possessions

on the north The Territory was to be formed into States the settlers were to receive authority from the General Government to form temporary Govcontinue in force until the population should increase to 20,000 inhabitants; and then the temporary were to be converted into permanent Governments. Both the temporary and the permanent Governments were to be established upon certain principles, expressly set forth in the Ordinance, as their basis. Chief among those was the important provise to which I now ask the attention of the Senate.

"After the year 1800 of the Christian era there shall be neither Slavery nor involuntary servitude in any of the said States, otherwise than in the punishment of crimes whereof the parties shall have been duly convicted to have

been personally guilty." Let it be noted and remembered that this provise applied not only to the territory which of the Federal Constitution. And such States had been ceded already by Vergina and the as may be formed out of that portion of said other States, but to all territory ceded and to be ceded. There was not one inch of territory Compromise line, shall be admitted into the was not covered by the claims of one or onother Union with or without Slavery, as the people of the States. It was then the opinion of many of each State asking admission may desire. statesmen - Mr. Jefferson himself among them-that the United States under the Const. tution, were incapable of acquiring territory outside of the original States. The Jefferson proviso, therefore, extended to all territory which it was then supposed the United States could possibly acquire.

viso? Mr. Speight, of North Carolina, moved that it be stricken from the Ordinance; and one to the whole territory within her bound-aries. The Senator from Virginia regarded Hampshire, Massachusetts, Rhode Island, Connecticut, New York, and Pennsylvania against the provise, three States-Virginia, Maryland, and South Carelina, Delaware and Georgia were not then represented in the Con-gress, and the vote of North Carolina, being divided, was not counted; nor was the vote of New Jersey counted, one delegate only being present. But the Senate will observe that the States stood six to three. Of the twenty-three dolegates present, sixteen were for the proviso, and seven against it. The vote of the States was two to one, and that of the delegates more Here was a compact between two States, than two to one, for she provise. But under So far as the parties were competent to enter the provisions of the Articles of Confederation. which then controlled the legislation of C'n gress, the votes of a majority of all the States were necessary to retain it in the Ordinance.

was not left to inference or conjecture. At ties, of which we hear so much and see in actthe very moment of relinquishment, the United States and Texas, by agreeing to the proviso I nised—if the wishes of a majority of the States have quoted, saved the compact, and continued and of the majority of the delegates had reevailed-if the almost universal sentiment of the people had been respect d, the question of Sla-

there; for the Missouri prohibition, enseted in The interest was comparatively small, and the 1820, may be regarded as restricted to the power comparatively weak; but they were sufunits of the Louisiana acquisition as defined ficient, under the then existing Government, to by the treaty with Spain, which was concluded deleat the provise, and transfer the great question of Slavery to feeture discussions. But the Senator from Elinois says that the | which I have detailed, however, are sufficient prehibition in the annexation resolution was of to show what was the general sentiment, and what was the original policy of the country, in respect to Siavery. It was one of limitation, dis-

couragement, repression.

What next occurred? The subject of or-

the protection and countenance of the Governed, too, under remarkable circumstances. The claimed by Virginia, in right of her charter, and in right of conquest. The gallant George Rogers Clarke, one of the bravest and noblest sons of that State, had, with a small body of troops, raised under her authority invaded and conquered the territory. Slavery was already there, under the French colonial law, and also, if the claim of Virginia was well founded, under the laws of that State. These facts prove that the first application of the original policy of the Government converted slave territory nto free territory.

Now, sir, what guarantees were given for the maintenance of this policy in time to come? I once, upon this floor, adverted to a fact, which has not attracted so much attention as, in my udgment, its importance deserves. It is this While the Congress was framing this Ordinance—almost the last act of its illustrious labors—the Convention which framed the Con-stitution was sitting in Philadelphia. Several gentlemen were members of both bodies, and at the time this Ordinance was adopted, no proposition in respect to Slavery had been disensed in the Convention, except that which re-culted in the establishment of the three fifths clause. It is impossible to say, with absolute certainty, that the incorporation of that clause nto the Constitution, which gave the slave States a representation for three-fifths of their slaves, had anything to do with the unanimous vote by which the proviso was engrafted upon the Ordinance; but the coincidence is remarkable, and justifies the inference that the facts were connected. At all events, the proviso can hardly fail to 'ave been regarded as affording guarantee for the perpetuation of the policy which it established.

Already seven of the original thirteen State had taken measures for the abolition of Slavery within their limits, and were regarded as free States. Six only of the original States were regarded as slave States. The Ordinance provided for the creation of five new free States, and thus secured the decided ascendency of the free States in the Confederation. The perpetuation of Slavery even in any State, it is quite

obvious, was not then even thought of. And now, sir, let me ask the attention of the Senate to the Constitution itself. That charter of our Government was not formed upon prolavery principles, but upon anti-slavery principles. It nowhere recognises any right of property in man. It nowhere confers upon the overnment which it creates, any power to establish or to continue Slavery. Mr. Madison himself records in his report of the debate of the Convention his own declaration, that it was wrong to admit in the Constitution the idea that there could be property in men. Every clause in the Constitution which refers in any way to slaves speaks of them as persons, and excludes the idea of property. In some of the States, it is true, slaves were regarded as prop-

The language of Mr. Justice McLean this point is very striking. He says:
"That cannot divest them of the leading a quisition of territory. That acquisition was and controlling quality of persons by which derived from—I might, perhaps, better say conthey are designated in the Constitution. The character of property is given them by the local law. This law is respected, and all rights under it are protected by the Federal authori-Congress forthwith proceeded to consider the ties. But the Constitution acts upon slaves as

reference to a remark which fell from the Sentor on that object. The Ordinance reported was only was there no power granted to Congress ator on that occasion, that at no time did I ever the work of Mr. Jefferson, and is marked to authorize or enable any man to hold anoththroughout by his spirit of comprehensive in- er as property, but an amendment was afterespecially denied all such power.

The history of that amendment is worth at-

Virginia so ably represent on this floor, was one of those which immediately after the adop tion of the Constitution proposed amendments of it. One of the amendments which she proposed was this: "No free man ought to be taken imprison.

ed, or deprived of his freehold, liberties, or franchises, or outlawed, or exiled, or in any manner deprived of his life, liberty, or property, but by the law of the land." Did Congress adopt that amendment? No, sir; it adopted and proposed to the States a very different amendment. It was this:

"No person * * * shall be deprived of

life, liberty, or property, without due process Now, sir, in my judgment, this prohibition was intended as a comprehensive guarantee of personal freedom, and denies absolutely to Congress the power of legislating for the establishment or maintenance of Slavery. This amendment, of itself, rightly interpreted and applied, would be sufficient to prevent the introduction of slaves into any territory acquired by the United States. At all events, taken in connection with the Ordinance, and with the original provision of the Constitution, it shows conclusively the absence of all intention upon the part of the founders of the Government to afford

interpretation of the Constitution has created the necessity for more positive prohibition. My general view upon this subject is simply My general view upon this subject is simply constitute the committee in such manner and principle upon which the Missouri Compromise this: Slavery is the subjection of one man to of such persons as would be most likely to rethe absolute disposal of another man, by force. Master and slave, according to the principles of the Declaration of Independence, and by law of nature, are alike men, endowed by their Creator with equal rights. Sir, Mr. Pinkney Delegates, he exclaimed, "By the eternal principles of justice, no man in the State has a right to hold his slave for a single hour." Slavery, then, exists nowhere by the law of na-Wherever it exists at all, it must be through the sanction and support of municipal

or State legislation.
Upon this state of things the Constitution acts. It recognises all men as persons. It confers no power, but, on the contrary, expressly denies all power to the Government of its creation to establish or continue Slavery. Congress has no more power, under the Constitution, to make a slave than to make a king; no more power to establish Slavery than to estab-Inquisition.

At the same time, the Constitution con no power on Congress, but, on the contrary, desics all power to interfere with the internal policy of any State, sanctioned and established y its own Constitution and its own legislation. in respect to the personal relations of its in habitants. The States, under the Constitution, are absolutely free from all interference by Congress in that respect, except, perhaps, in the case of war or insurrection; and may legis-late as they please within the limits of their own Constitutions. They may allow Slavery if they please, just as they may license other wrongs. But State laws, by which Slavery is allowed and regulated, can operate only within the limits of the State, and can have no extra

slave suing for liberty, and that the onus of proving the contrary rested upon the master.

I think, sir, I have now shown that the Ordi-

Senator from Illinois was clearly wrong in respect to the incorporation of all the territory cut off from Texas into New Mexico; and just as clearly wrong in relation to the Presing as clearly wrong in relation to the reaffirm as clearly wrong in relation to the reaffirm and the new reversion of the Presing and the acceptance of that cession indicate any purpose of establishing a geographical line between Slavery and Freedom? What are geographical line between Slavery and Freedom? Why, sir, on the contrary, the State of the North—to please the free States—Californian and the act received the sanction of the Presing an fathers of the Republic? Was it that of indifferentism between Slavery and Freedom?—
that of establishing a geographical line, on one side of which there should be Liberty, and on the other side Slavery, both equally under from that. It was the policy of excluding Slavery from all National territory. It was adopted, too, under remarkable of the accept the compared to accept the co express provision, that the anti-slavery article refused to accept the cession. I agree in that opinion. But Slavery already existed in that district as part of the State of North Carolina,

and it was probably thought unreasonable to deny the wish of the State for its continuance. The same motives decided the action of Georgia in making her cession of the territory between her western limits and the Mississippi, and the action of Congress accepting it. The acceptance of both of these cessions, as well as the adoption and re-enactment by Congress of the slave laws of Maryland for the District of Columbia, were departures from original policy; but they indicated no purpose to establish icy; but they indicated no purpose to establish any geographical line. They were the result of the gradually increasing indifference to the claims of Freedom, plainly perceivable in the history of the country after the adoption of the history of the country after the adoption of the in 1788—"when our own liberties were at stake, we warmly felt for the common rights of man. The danger being thought to be passed which threatened ourselves, we are daily growing more and more insensible to those rights." It was this growing insensibility which led to these departures from original policy. Afterwards, in 1803, Louisiana was a nequired from France. Did we then hascost o establish a geographical line? No, sir. In Louisiana, as in the Territories acquired from Let ne read to the Senate some paragraphs. Georgia and North Carolina, Congress re-Georgia and North Carolina, Congress refrained from applying the policy of 1787; Congress did not interfere with existing Slavery; Congress contented itself with enactments prohibiting absolutely, the introduction of slaves from beyond the limits of the United States; and also prohibiting their introduction from any of the States, except by bona fide owners, actually removing to Louisiana for settlement.

When Louisiana was admitted into the Union, in 1812, no restriction was imposed upon her in respect to Slavery. • this time, there were slaves all along up the west bank of the Mississippi as far as St. Louis, and perhaps even

In 1818 Missouri applied for admission into the Union. The free States then awoke to the danger of the total overthrow of the original policy of the country. They saw that no State had taken measures for the abolition of Slavery since the adoption of the Constitution. They saw that the feeble attempt to restrict the introduction of slaves into the territories acquired from Georgia and from France had utterly failed. They insisted, therefore, that in the formation of a Constitution, the people of the proposed State should embody in it a provision for the gradual abolition of existing Slavery, and prohibiting the further introduction of

By this time the slave interest had become strong, and the slave power was pretty firmly established. The demand of the free States was rehemently contested.

A bill preparatory to the admission of Mis

soni, containing the proposed restriction, was of the country."

That sir, was uron it, and the bill failed. At the next seesion of Congress the controversy was renewed. In the mean time Maine had been severed from the territory acquired by Louisiana north of 36 deg 30 min. The House refused to concur in deg 30 min. The House refused to concur in Mr. President, if there was any principle

This section came from the South, through Mr. Thomas, the Senator from Illinois, who had uniformly voted with the slave States against all restriction. . It was adopted on the 17th of February, 1820, as an amendment to the Maine and Missouri bill, by 34 ayes, against 10 noes.*

Mr. HUNTER. I think that the provision passed without a division in the Senate. Mr. CHASE. The Senator is mistaken. from the latter, voted against it. No vote by ayes and noes was taken when the same mer vote.

ate had asked, made their report. The members of the committee from the Senate were, of course, favorable to the Senate amendments. any countenance or protection to Slavery out | In the House, the Speaker, HENRY CLAY, was also in favor of them, and he had the appoint- acquisition, was not allowed. ment of the committee. Of course he took cure their adoption. The result was what from its amendments to the Maine bill, and ernments were organized were in some respects that the House should concur in the amend-ments to the Missouri bill. Eaough members While those bills professed to leave the question from the free States were found to turn the of Slavery or no Slavery in the Territories, unscale against the proposed restriction of Sla- affected by their provisions, to judicial decision, very in the State; and the amendment of the they did, nevertheless, virtually decide the ques-Senate striking it out was concurred in by tion for all the territory covered by them, so ninety yeas, against eighty-seven nays.

the introduction of Missouri with Slavery was State; and by her admission the scheme of eximpossible. Nothing remained but to deter- tending a line of slave States to the Pacific was mine the character of the residue of the Louisiana acquisition; and the amendment prohibiting Slavery north of 36 deg. 30 min. was concerred in by one hundred and thirty-four yeas, against forty-two nays. Of the yeas, thirty-tories by Mexican law; that law is not repealeight were from slave and ninety-six from free ed by any provision of the acts; indeed, said states; of the nays, thirty-seven were from many of them, Slavery cannot exist in any Terslave States, and five from free. Among those of South Carolina, whose vote, estimated by the worth and honor of the man, outweight

was between the two great sections of the print of acquisition, by the operation of the Union. The subject was a vast extent of almost Constitution. Congress has not undertaken to nnoccupied country, embracing the whole territory west of the Mississippi. It was territory take our slaves there, if we please.

The committee tell us that this question was quisition. The compromise section contained left in doubt by the Territorial bills. territorial effect.

Sir, I could quote the opinions of Southern judges ad infinitum, in support of the dectrine that Slavery is against natural right, absolutely

Slavery was there left to the determination of part of it which is ready to come in as a free Slavery was there left to the determination of part of it which is ready to come in as a free circumstances. There was an implied under- State shall be admitted into the Union, and dependent for its existence or continuance upon the State legislation. I might quote the scorn-standing that Congress should not interfere that part which is not ready shall be organ-General Government to the institution of Sla-very within the States. I might quote the de-36 deg 30 min. was absolute and perpetual. cision of the celebrated Chancellor Wythe, of The act in which it was contained was submit-Virginia-overruled afterwards, I know, sir, ted by the President to his Cabinet, for their in the Court of Appenis—that Slavery was so opinion upon the constitutionality of that proagulust justice, that the presumption of free-hibition. Calhoun, Crawford, and Wirt, dom must be allowed in favor of every alleged were members of that Cabinet. Each, in a written opinion, affirmed its constitutionality.

tory west of the Mississippi, outside of the State of Louisiana; and the practical operation of it was, the division of this territory between the institution of Slavery and the institution of Freedom.

The arrangement was proposed by the slave States. It was carried by their votes. A large insjority of Southern Senators voted for it; a majority of Southern Representatives voted for it. It was approved by all the Southern members of the Cabinet, and received the sanction of a Southern President. The compact was embodied in a single bill, containing reciprocal provisions. The admission of Missouri with Slavery, and the understanding that Slavery should not be prohibited by Congress south of 36 deg. 30 min, were the considerations of the

then, to inhibit Slavery in any of the Territories is clearly and completely acknowledged, and it is conditioned, as to some of them, that agreed to in the Senate, 33 votes to 11; and in the House of Representatives, by 134 to 42, or really 139 to 37. And we trust it is de-

I ask Senators particularly to mark this: "It is true the Compromise is supported only by the letter of the law, repealable by the authority which enacted it; but the circumstances of the case give to this law a MORAL FORCE equal to that of a positive provision of the Constitution : and we do not hazard any hing by saying that the Constitution exists in its observance. parties have sacrificed much to conciliation. We wish to see the compact kept in good faith, and we trust that a kind Providence will open the way to relieve us of an evil which every good citizen deprecates as the supreme curse

termined 'forever' in respect to the countries now subject to the legislation of the General

That sir was the language of a Marylander, In that body the bill was amended by striking out the restriction: the House refused to concur in the amendment: the Senate insisted upon it, and the bill failed. At the next sesual compact can be said to be irrepealable, in the faint hope that these Territories might ble would prognesticate a year of sects and which is embedied in a legislative act. It had the two sections of the country for its parties, a great territory for its subject, and a perand lost its control over the American heart will but faithfully adhere to the great maxims Massachusetts, had adopted a Constitution, and had applied for admission passed the House, and was sent to the Senate. This bill providing for the Senate by tacking to it a bill for the admission of Missouri, and by the bill for the admission probabilities of a section received for its object. It was forced upon the free States. It is binding, indeed, only upon honor and conscience; but, in such a matter, the obligations of honor and conscience must be the confluent streams mix so imperceptibly and lost its control over the American heart and the American policy. Another Era succeeded, but by such imperceptible gradations that the lines which separate the two cannot be traced with absolute precision. The facts of the two Eras meet and mingle as the currents of confluent streams mix so imperceptibly fathers, and there is no dream of national prospects. the territory acquired by Louisiana north of 36 be regarded as even more sacred than those of that the observer cannot fix the spot where perity, power, and glory, which ancient or mod-

embodying the restriction upon Slavery in the State. The Senate amended the bill by striking out the restriction, and by inserting the king out the restriction, and by inserting the section prohibiting Slavery north of 36 deg. 30 time of the Territory, and prohibiting it in the parts of Territory in which in slaves were actually held. This was a wide departure from the original policy which contemplated the exclusion of Slavery from territory, and prohibiting it in the parts of Territory, and prohibiting it in the parts of Territory in which ing the public quiet by agitation; adjust all differences that arise, not by the application of all—all in vain.

Sir, I trust that the result of this discussion to the Territory, and prohibiting it in the parts of Territory in which ing the public quiet by agitation; adjust all differences that arise, not by the application of all—all in vain.

Sir, I trust that the result of this discussion to the Territory, and prohibiting it in the parts of Territory in which ing the public quiet by agitation; adjust all differences that arise, not by the application of principles, but by compromises.

Sir, I trust that the American Senate will sancof acquisition. But the idea that Slavery could

Mr. President, I shall hasten to a conclusion. In 1848 we acquired a vast territory from Mexico. Tile free States demanded that this effect was given to the Ordinance in excl territory, free when acquired, should remain the introduction of slaves, and thus the Terr free under the Government of the United States. The Senator from Illinois tells us that slave State. The few slaveholders in the Ter Fourteen Senators from the slave States, and he proposed the extension of the Masouri Comtwenty from the free States, voted for that amendment. Eight from the former, and two complains that it was rejected by the votes of the free States. So it was. And why? Beamendment was engrafted upon the separate ritory in which Slavery was already allowed. Missouri bill, a few days later; the sense of The Missouri prohibition exempted a portion the Senate having been ascertained by the for- of this territory, and the larger portion, from mer vote.

This was the condition of matters when the Committee of Conference, for which the Sentension of that line through the territory acquired from Mexico, with the understanding which the Senator from Illinois and his friends attached to it, would introduce Slavery into a vast region in which Slavery, at the time of would have been to reverse totally the original care, as he has since informed the country, to policy of the country, and to disregard the

It is true that when the controversy in respect might have been expected. The committee to this Territory came to a conclusion, the profar as legislation could decide it, against Free-From this moment, successful opposition to dom. California, indeed, was admitted as a free who voted with the majority was Mr. Lownnes, gress; no such act allows Slavery there; there is no danger, therefore, that any claves will be laken into the Territory. Southern supporters of the measures sustained them upon qu Now, for the first time, was a geographical line established between Slavery and Freedom in this country. can hold his slaves in any Territory, in spite of Let us pause, and ascertain upon what principle this Compromise was adopted, and to even of an act of Congress. The Mexican law between the two great many prehibition of a Territorial Legislature or even of an act of Congress. The Mexican law forbidding Slavery was abrogated at the mo-

ized into Territorial Governments, and its condition in respect to Slavery or Freedom shall be left in doubt during the whole period of its Territorial existence.

Think, sir, large of an elegation of the state of the sta

Thus we see that the parties to the arrangement were the two sections of the country—the free States on one side, the slave States on the other. The subject of it was, the whole terrinia was to be admitted, and the slave depots please the slave States, a stringent Fugitive Slave Act was to be passed, and Slavery was to have a chance to get into the new Territories. The support of the Senators and Representa-

36 deg. 30 min, were the considerations of the perpetual prohibition north of that line; and through Congress, and least of all the distinction of the considerations of the considerations of the perpetual prohibition north of that line; and No man concerned in carrying those measu that prohibition was the consideration of the guished man whose efforts mainly contributed admission, and the understanding. The slave to their success, ever imagined that in the Ter-States received a large share of the considera-ritorial acts which formed a part of the series,

statute an adoption of the Compromise acts? Will you here, acting under your high responsibility as then the universal understanding in respect to the the third the the personal recollection of every Senator who was here during the discussion of those Compromise acts disproves? to break up the time-honored compact em-bodied in the Missouri Compromise, transferred into the joint resolution for the annexation of even when they become States, Slavery shall be forever' prohibited in them. There is no hardship in this. The Territories belong to the United States, and the Government may neal it by a direct role. rightfully prescribe the terms on which it will indirection. Do not "declare" it "inoperation to guard the interests, and promote the well-being of all persons within its jurisdiction, and

Mr. President, three great Eras have marked the history of this country, in respect to Slavery. The first may be characterized as the mated the hearts and prompted the efforts of Wythe, of Adams, of Jay, of Hamilton, of Morof the country from the curse of Slavery. That spirit burned in the Declaration of Independence, and inspired the provisions of the Constitution and of the Ordinance of 1787. Under thinks I see her as an eagle mewing her mighty its influence, when in full vigor, State after State provided for the emancipation of the slaves within their limits, prior to the adoption of the Constitution. Under its feebler influence at a later period, and during the administrathe meeting waters blend.

This second Era was the Era of Conserva-Committee of Conference, to which the House agreed. During the progress of these events that of permitting the continuance of Slavery isting condition. Men said, let things remain the House, after passing the Maine bill, had in the localities where it actually existed at the localities where it actually existed at the condition. The state of permitting the continuance of Slavery stay where it is, exclude it where it is not; refrain from disturbing the continuance of Slavery stay where it is, exclude it where it is not; refrain from disturbing the progression of the state of permitting the continuance of Slavery stay where it is, exclude it where it is not; refrain from disturbing the progression of the state of permitting the continuance of Slavery stay where it is, excluded it where it is not; refrain from disturbing the progression of the state of permitting the continuance of Slavery stay where it is, excluded it where it is not; refrain from disturbing the progression of the state of permitting the continuance of Slavery stay where it is, excluded it where it is not; refrain from disturbing the progression of the state of permitting the continuance of Slavery stay where it is, excluded it where it is not; refrain from disturbing the progression of the state of the sta

tories in which it actually existed at the time | tells us that Slavery was maintained in Illinois, both while a Territory and after it became a ever be introduced into free territory, under the sanction of Congress, had not, as yet, entered into any man's head.

State, in despite of the provisions of the Ordinance. It is true, sir, that the slaves held in the Illinois country, under the French law, were not regarded as absolutely emancipated effect was given to the Ordinance in excluding tory was preserved from eventually becoming a ritory of Indiana, which then included Illinois, succeeded in obtaining such an ascendency in its affairs, that repeated applications were made, not merely by conventions of delegates but by the Territorial Legislature itself, for a suspension of the clause in the Ordinance prohibiting Slavery. These applications were re-ported upon by John Randolph, of Virginia, in the House, and by Mr. Franklin in the Senate Both the reports were against suspension. The grounds stated by Randolph are specially wor-thy of being considered now. They are thus stated in the report:

"That the committee deem it highly dan

gerous and inexpedient to impair a provision wisely calculated to promote the happeness and presperity of the Northwestern country, and to strength and security to that extensive frontier. In the salutary operation of this sa gacious and benevolent restraint, it is believed that the inhabitants of Indiana will, at no very distant day, find ample remuneration for a temporary privation of labor and of emigration." Sir, these reports, made in 1803 and 1807, and the action of Congress upon them, in conformity with their recommendation, saved Illi-nois, and perhaps Indiana, from becoming slave States. When the people of Illinois formed their State Constitution, they incorporated into it a section providing that neither Slavery nor involuntary servitude shall be here-after introduced into this State. The Constitution made provision for the continued service of the few persons who were originally held as Territorial laws, and for the freedom of their children, and thus secured the final extinction of Slavery. The Senator thinks that this result is not attributable to the Ordinance. I differ from him. But for the Ordinance, I have no doubt Slavery would have been introduced into Indiana, Illinois, and Ohio. It is something to the credit of the Era of Censervatism, uniting its influences with those of the expiring Era of Enfranchisement, that it maintained the Ordinance of 1787 inthe Northwest.

The Era of Conservatism passed, also, by imperceptible gradations, into the Era of SLA-VERY PROPAGANDISM. Under the influences of this new spirit, we opened the whole Terri tory acquired from Mexico, except California, to the ingress of Slavery. Every foot of it was covered by a Mexican prohibition; and yet, by the legislation of 1850, we consented to expose it to the introduction of slaves. Some, I believe, have actually been carried into Utah and into New Mexico. They may be few, perhaps, but a few are enough to affect materially the probable character of their future Govern-

Sir, I believe we are on the verge of another Era. The introduction of this question here, and its discussion, will greatly haven its advent. That Era will be the Era of REACTION. We, who insist upon the denationalization of Slavery, and upon the absolute divorce of the General Government from all connection with it, will stand with the men who favored the Compromise acts, and who yet wish to adhere The truth is, that the Compromise acts of 1850 were not intended to introduce any principle of Territorial organization applicable to any other Territory except that

principles impose, as to acquiesce in the viola-tion of this compact. Sir, the Senator from Illinois tells us that he proposes a final settlement of all territorial questions in respect to Slavery, by the application of the principle of popular sovereignty. What kind of popular sovereignty is that which allows one portion of the people to enslave another portion? Is that the doctrine of equal rights? Is that exact justice? Is that the teaching of colightened. liberal progressive Democracy? No, sir; no There can be no real Democracy which does not fully maintain the rights of man, as man. Living, practical, carnest Democracy imperatively requires us, while carefully abstaining from unconstitutional interference with the internal regulations of any State upon the subject of Slavery, or any other subject, to insist upon the practical application of its great principles in all the legislation of Congress. I repeat sir, that we who maintain these principles will stand shoulder to shoulder with the men who, differing from us upon other questions, will yet unite with us in opposition to the violation of plighted faith contemplated by this bill. There are men, and not a few, who are willing to adhere to the Compromise of 1850. If the Missouri prohibition, which that Compromise incorporates and preserves among its own provisions, shall be repealed. abrogated, broken up, thousands will say, Away with all compromises; they are not worth the paper on which they are printed we will return to the old principles of the Constitution. We will assert the ancient doctrine, that no person shall be deprived of life, liberty. or property, by the legislation of Congress, with out due process of law. Carrying out that principle into its practical applications, we will not cease our efforts until Slavery shall cease

principles of the Revolution, or are so insensi-ble to the obligations which those maxims and

stitutional action of the Government. Sir, I have faith in progress. I have faith in Democracy. The planting and growth of this nation, upon this western continent, was not an accident. The establishment of the American Government, upon the sublime principles of the Declaration of Independence, and the organization of the Union of these States, under our Republic, have bequeathed to us the great duly of so administering the Government which they organized, as to protect the rights. being of all persons within its jurisdiction, and thus present to the nations of the earth a noble example of wise and just self-government. Sir, I have faith enough to believe that we shall ye Era of Enfranchisement. It commenced fulfil this high duty. Let me borrow the inspi-with the earliest struggle for national independence. The spirit which inspired it ani- that we have yet a country "not degenerated, nor drooping to a fatal decay, but destined, by Washington, of Jefferson, of Patrick Henry, of casting off the old and wrinkled skin of cor ruption, to outlive these pangs, AND WAN YOUNG ris; in short, of all the great men of our early AGAIN, AND, ENTERING THE GLORIOUS WAYS OF history. All these hoped—all these labored for—all these believed in the final deliverance AND HONORABLE IN THESE LATTER AGES. Me.

to exist wherever it can be reached by the con-

thinks I see in my mind a great and puissant youth, and kindling her undazzled eyes AT THE FULL MID-DAY BEAM : PURGING AND UNSCALING HER LONG-ABUSED SIGHT AT THE FOUNTAIN IT-SELF OF HEAVENLY RADIANCE; while the whole

ern builders of ideal commonwealths ever conceived, which we may not hope to realize. But if we turn aside from there ways of honor, to walk in the by-paths of temporary expedients, compromising with wrong, abetting oppression, and repudiating faith, the wisdom and devo-

will show that the American Senate will sanc-tion no breach of compact. Let us strike from the bill the statement which historical facts and our personal recollections disprove, and then reject every proposition which looks toward a violation of the plighted faith and solemn compact which our fathers made, and which we, their sons, are bound, by every tie of obligation, sacredly to maintain.

HEREBY constitute Mr. Simon Willard, No. 5 Congress street, Boston, sole agent for the sale of April 15, 1853. CHARLES FRODSHAM.

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I remain, sir, yours, respectfully,

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